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| APPLICATION NO.                    | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/829,489                         | 04/22/2004  | Paul Friedli         | 16715               | 6918             |
| 43935                              | 7590        | 10/22/2007           | EXAMINER            |                  |
| FRASER CLEMENS MARTIN & MILLER LLC |             |                      | TRUONG, THANHNGA B  |                  |
| 28366 KENSINGTON LANE              |             |                      |                     |                  |
| PERRYSBURG, OH 43551               |             |                      | ART UNIT            | PAPER NUMBER     |
|                                    |             |                      | 2135                |                  |
|                                    |             |                      | NOTIFICATION DATE   | DELIVERY MODE    |
|                                    |             |                      | 10/22/2007          | ELECTRONIC       |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|------------------------------|------------------------|---------------------|
|                              | 10/829,489             | FRIEDLI ET AL.      |
| Examiner                     | Art Unit               |                     |
| Thanhnga B. Truong           | 2135                   |                     |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 18 January 2007.

2a)  This action is **FINAL**.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-18 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 22 April 2004 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some \* c)  None of:

- 1.  Certified copies of the priority documents have been received.
- 2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 7/20/07.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application

6)  Other: \_\_\_\_ .

## DETAILED ACTION

1. This action is responsive to the communication filed on July 30, 2007. Claims 1-18 are pending. At this time, claims 1-18 are still rejected.

### ***Response to Arguments***

2. Applicant's arguments filed July 30, 2007, with respect to the rejection(s) of claim(s) 1-18 under **35 USC § 102** have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Svensson-Hilford et al (US 6,354,405 B1).

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) filed on July 20, 2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Svensson-Hilford et al (US 6,354,405 B1).

a. Referring to claim 1:

i. Svensson-Hilford teaches a method for security checking or transport of persons by an elevator installation comprising the steps of:

(1) generating at least one authentication signal associated with a person seeking to use the elevator installation (**column 2, line 66 through column 3, line 4 of Svensson-Hilford**);

(2) detecting the at least one authentication signal with a mobile authentication device (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);

(3) checking the at least one authentication signal with at least one person reference (**column 4, lines 28-35 of Svensson-Hilford**);

(4) in the case of correspondence of the authentication signal and the person reference, providing at least one identification code (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);

(5) detecting the at least one identification code with a stationary recognition device of the elevator installation (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**); and

(6) assigning to the identification code one of a predefined travel destination and an input travel destination input at the recognition device by the person (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);

b. Referring to claim 2:

i. Svensson-Hilford further teaches:

(1) including supplying the authentication device with electrical power from at least one energy source external to the authentication device (**column 2, lines 30-40 of Svensson-Hilford**).

c. Referring to claim 3:

i. Svensson-Hilford further teaches:

(1) including selecting as the authentication signal a biometric signal being one of a fingerprint, a hand geometry, a facial profile, an iris pattern, a retinal scan, a thermogram, a smell, a voice, a signature and pressing of a button (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**).

d. Referring to claim 4:

i. Svensson-Hilford further teaches:

(1) including checking whether at least one user reference exists for the detected identification code (**column 4, lines 28-35 of Svensson-Hilford**).

e. Referring to claim 5:

i. Svensson-Hilford further teaches:

(1) including comparing the input travel destination with at least one access authorization for generating one of a control signal and an alarm signal (**column 4, lines 28-44 of Svensson-Hilford**).

f. Referring to claim 6:

i. Svensson-Hilford further teaches:

(1) including comparing the input travel destination with a list of travel destinations of an access authorization for generating one of a control signal and an alarm signal (**column 4, lines 28-65 of Svensson-Hilford**).

g. Referring to claim 7:

i. Svensson-Hilford teaches a system for security checking or transport of persons by an elevator installation comprising:

(1) a mobile authentication device adapted to be carried by a person, said authentication device detecting an authentication signal of the person and checking whether said authentication signal corresponds with a person reference, said authentication device generating an identification code when said authentication signal corresponds to said person reference (**column 2, line 66 through column 3, line 4; column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);

(2) a stationary recognition device of the elevator installation for detecting said identification code (**column 2, line 66 through column 3, line 4 of Svensson-Hilford**); and

(3) a checking device connected to said recognition device for assigning to said identification code one of a predefined travel destination and an input travel destination input at said recognition device by the person to generate a control signal for the elevator installation (**column 3, line 55 through column 4, line 35 of Svensson-Hilford**).

h. Referring to claim 8:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a sensor for generating said authentication signal in the presence of the person (**column 2, lines 35-40 of Svensson-Hilford**).

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i. Referring to claim 9:

i. Svensson-Hilford further teaches:

(1) wherein said sensor is a camera for detecting at least one of a fingerprint, a hand geometry, a facial profile, an iris profile, a retinal scan and a signature of the person (**column 2, lines 35-40; column 4, lines 28-35 of Svensson-Hilford**).

j. Referring to claim 10:

i. Svensson-Hilford further teaches:

(1) wherein said sensor is one of a thermal camera for detecting a thermogram of the person, a smell sensor for detecting a smell of the person, a microphone for detecting a voice of the person, and a button for detecting pressing of the button by the person (**column 2, lines 35-40; column 4, lines 28-35 of Svensson-Hilford**).

k. Referring to claim 11:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device is adapted to be powered by an external energy source (**column 2, lines 30-40 of Svensson-Hilford**).

l. Referring to claim 12:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a transmitting and receiving unit and said recognition device includes a transmitting and receiving unit for communicating said identification code (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**).

m. Referring to claim 13:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a data store for storing said person reference and compares said person reference with said authentication signal to generate said identification code (**column 4, lines 6-14; lines 28-44 of Svensson-Hilford**).

n. Referring to claim 14:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a data store for storing said identification code prior to detecting said authentication signal **(column 4, lines 6-14; lines 28-44 of Svensson-Hilford)**.

o. Referring to claim 15:

i. Svensson-Hilford further teaches:

(1) wherein said recognition device includes input means for receiving said input travel destination from the person **(column 4, lines 6-14; lines 28-35 of Svensson-Hilford)**.

p. Referring to claim 16:

i. Svensson-Hilford further teaches:

(1) wherein said checking device includes a data store for storing said predefined travel destination **(column 4, lines 6-14; lines 28-44 of Svensson-Hilford)**.

q. Referring to claim 17:

i. Svensson-Hilford further teaches:

(1) wherein said checking device includes a data store for storing a user reference and compares said user reference with said identification code to generate said control signal **(column 4, lines 6-14; lines 28-44 of Svensson-Hilford)**.

r. Referring to claim 18:

i. Svensson-Hilford further teaches:

(1) wherein said checking device includes a data store for storing an access authorization and compares said access authorization with one of said predefined travel destination and said input travel destination to generate said control signal **(column 4, lines 6-14; lines 28-44 of Svensson-Hilford)**.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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a. Gazdzinski (US 6,615,175 B1) discloses "smart" elevator system and method (see Title). Claims 1-18 of the instant application also read on by Gazdzinski's prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

*Thanhnga B. Truong*  
Primary Examiner AU2135

TBT

October 11, 2007